

REMARKS

Favorable reconsideration of this application is respectfully requested.

By the present amendment the specification is amended to correct informalities therein, and particularly to no longer refer to the claims. No new matter is believed to be added.

Claims 1-42 are pending in this application. Claims 6-20, 26-30, 32-34, 36, 38-40, and 42 stand withdrawn from consideration as directed to non-elected inventions. Claims 37 and 41 were rejected under 35 U.S.C. § 101. Claims 1-5, 31, and 37 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent 7,006,253 to Fuchigami et al. (herein “Fuchigami”). Claims 21-25, 35, and 41 were rejected under 35 U.S.C. § 103(a) as unpatentable over Fuchigami in view of U.S. Patent 6,621,595 to Fan et al. (herein “Fan”).

Addressing first the rejection of claims 37 and 41 under 35 U.S.C. § 101, that rejection is traversed by the present response.

Each of independent claims 37 and 41 is amended by the present response to now be directed to a “computer readable medium storing a computer program product including computer readable code that causes a computer to execute”. Applicants submit such amended claims are directed to statutory subject matter, and thus are proper under 35 U.S.C. § 101.

Applicants also note the grounds for rejection under 35 U.S.C. § 101 includes a reference to claim 18 as drawn to functional descriptive material, but that reference is not at all understood as claim 18 is withdrawn as directed to a non-elected invention, and is also directed to a specific structural element.

Addressing now the above-noted rejection of claims 1-5, 31, and 37 under 35 U.S.C. § 102(e) as anticipated by Fuchigami, and the further rejection of claims 21-25, 35, and 41

under 35 U.S.C. § 103(a) as unpatentable over Fuchigami in view of Fan, those rejections are traversed by the present response.

Independent claims 1, 21, 31, 35, 37, and 41 are amended by the present response to clarify features recited therein.

Specifically, independent claim 1 now recites “a conversion unit that converts the RGB signal into a CMY signal according to characteristics of color image material”. The other independent claims are similarly amended. Those claim features are believed to be clear from the original specification at page 12, line 18 to page 13, line 9, as an example. As noted in that portion in the specification “the optimum value . . . in the above expression (3) will also vary according to hue of the original image”. Applicants submit the reference to the “hue” is a characteristic of color image material. Also, the specification at page 13, lines 4-6 indicates the coefficient can be used suitable, for example for printing ink or toner that makes actual images, again corresponding to characteristics of color image material.

With respect to the feature of the “conversion unit” the outstanding Office Action cited Fuchigami at column 8, lines 6-11.¹ Applicants submit that disclosure in Fuchigami is not at all directed to a conversion unit that can convert an RGB signal into a CMY signal “according to characteristics of color image material”. Specifically, at column 8, lines 6-11, Fuchigami merely discloses “the RGB image signals generated by this color scanner 1 are supplied to the color conversion section 131”. That disclosure does not at all indicate converting RGB signal into CMY signal according to characteristics of color image material.

In such ways, applicants respectfully submit each of independent claims 1, 21, 31, 35, 37, and 41, and the claims dependent therefrom, patentably distinguish over Fuchigami.

Applicants also note certain other features recited in additional dependent claims even further distinguish over Fuchigami. For example, dependent claims 4 and 5 further recite

¹ Office Action of August 28, 2007, page 3, last paragraph.

specifics of the conversion unit, which are believed to even further distinguish over Fuchigami.

With respect to those features in claims 4 and 5 the outstanding rejection cited Fuchigami for example at column 8, lines 23-30, column 1, lines 47-50 and column 2, lines 64-67.²

Applicants submit such further disclosure in Fuchigami are not at all directed to the claimed features. For example at column 8, lines 16-46 Fuchigami discloses that a RGB image signal can be converted into a signal other than a CMY image signal, a determination can be made whether the image is a gray-scale image or not by using the RGB signal, and after the determining, the RGB signal can be color converted into a CMY image signal. Such disclosures in Fuchigami are not at all directed to changing a conversion coefficient for converting a RGB signal into a CMY signal based on a type of a color image.

Further, at column 1, lines 47-50 and column 2, lines 64-67 Fuchigami merely indicates a color copying machine often forms color image from a certain original image that should originally be formed to be a monochrome image, and that the image forming machine in Fuchigami is a color image forming machine. Those disclosures in Fuchigami are also not directed to specifics of the conversion unit as discussed above. Thereby, such further dependent claims 4 and 5 even further distinguish over Fuchigami.

In view of these foregoing comments, the claims as currently written are believed to clearly distinguish over Fuchigami.

Moreover, no disclosures in Fan were cited with respect to the above-noted features, and no disclosures in Fan are believed to cure the above-noted deficiencies in Fuchigami. Thereby, the claims as written are believed to also distinguish over Fuchigami in view of Fan.

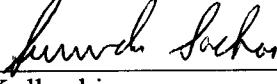
² Office Action of August 28, 2007, page 4, third and fourth paragraphs.

In view of the present response, applicants respectfully submit the claims as written are allowable over the applied art.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

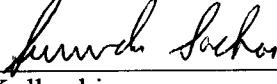
Respectfully submitted,

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